



George R. Hodges

George R. Hodges
United States Bankruptcy Judge

747.0000127

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN RE

Rebecca Ann Hoffman,

Debtor.

) Case No. 09-30009
)
) Chapter 13
)
)
)

ORDER

Upon consideration of the motion filed by U.S. Bank, National Association (hereinafter "Movant"), and after required notice to all necessary parties, and there being a hearing held on April 14, 2010, the Court finds as follows:

1. That Movant has a valid lien against certain property briefly described as 503 S. Clay Street, Gastonia, NC 28052.
2. That the Debtor has been unable to provide Movant adequate protection for its interest in the real property.
3. That Movant should be permitted to foreclose its security interest in the said property.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED

1. That the stay afforded by 11 U.S.C. § 362 is hereby modified and terminated to permit Movant to proceed with foreclosure in State Court. Movant shall have a period of 180 days to file a deficiency claim; and
2. That Rule 4001(a)(3) of the Bankruptcy Code is not applicable in this case and Movant may immediately enforce and implement this order granting relief from the automatic stay.

This Order has been signed electronically. The Judge's signature and Court's Seal appear at the top of the Order.

United States Bankruptcy Court